

REMARKS/ARGUMENTS

Favorable reconsideration of the present application is respectfully requested.

Claims 1 and 2, and the specification, have been amended to recite that the zig-zag shape of the annular projections of the thermal rolls is arranged such that an amplitude of the zig-zag shape is substantially in the conveying direction. Basis for this can be found in Figure 12 wherein the conveying direction is designated by "x."

More specifically, Claims 1 and 2 now recite structural limitations relative to the structure of the thermal rolls, and not mere recitations directed toward the article which is to be worked upon. That is, Claims 1 and 2 recite a conveying device arranged to convey the film in a conveying direction, and that at least one of the annular projections of the thermal rolls has a wavelike or zig-zag shape whose amplitude is substantially in the conveying direction. These structural limitations are distinguishable from the prior art, independent of any recitation in the claims relative to the film being conveyed.

Claims 1 and 2 stand newly rejected under 35 U.S.C. § 102 as being anticipated by the newly cited U.S. patent to Blatter, particularly with respect to the projection 512 shown in Figures 5A-5D of the reference. However, this rejection is respectfully traversed, particularly in view of amended Claims 1 and 2.

Blatter is directed to a device for forming non-hermetic seals, i.e., seals having a void region such that gas can pass through the seal area (column 6, lines 16-23). To this end, Blatter provides pressing wheels 310 having *axially extending* cleats 512 which form a nip or clamped area 316 through which the bag material 110 passes and is squeezed so as to form the non-hermetic seal. As best seen in Figures 5B and 5D, the cleats 512 are discontinuous, thereby creating a zig-zag arranged void region 530.

It may be appreciated that Claims 1 and 2 recite several structural features which are not taught by Blatter, whereby the claims are not anticipated:

1. Claims 1 and 2 recite that the thermal rolls have "annular projections." While the Examiner has alleged that the projections 512 of Blatter are "annular projections," it may be appreciated from Figure 5D of Blatter that the projections 512 in fact extend axially, and not in an annular direction. As such, the recitation of "a pair of thermal rolls having annular projections," which was present in Claim 1 as rejected, is not found in the reference.

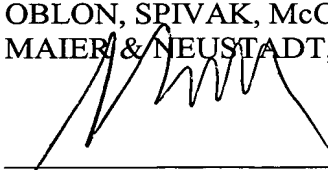
2. Claims 1 and 2 recite that the annular projections are such that the strippable seal has a wavelike or zig-zag shape. In contrast, it is not the seal in Blatter which has a wavelike or zig-zag shape, but the (non-seal) voids 530. Thus, this feature, which was present in the rejected claims, is also not taught by Blatter.

3. Claims 1 and 2 now recite that the wavelike or zig-zag shape is arranged such that the amplitude of the wavelike or zig-zag shape is substantially in the conveying direction. In contrast, the amplitude of the wavelike or zig-zag shape in Blatter is in the direction "L," as shown by the line 432 in Figures 4C, 4E. The direction "L" is in the width of the wheel 310, and is perpendicular to the direction of conveyance of the packets 110. Thus, this feature of amended Claims 1 and 2 is also not present in the reference.

The amended claims are therefore believed to clearly define over Blatter, and so a Notice of Allowability is respectfully solicited.

Respectfully submitted,

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